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## **DEPARTMENT OF TRANSPORTATION**

### **Federal Highway Administration**

#### **NOTICE OF FINAL FEDERAL AGENCY ACTIONS ON THE INTERSTATE 66 OUTSIDE THE BELTWAY PROJECT IN VIRGINIA**

**AGENCY:** Federal Highway Administration (FHWA), DOT.

**ACTION:** Notice of Limitation on Claims for Judicial Review of Actions by FHWA

**SUMMARY:** This notice announces actions taken by the FHWA that are final within the meaning of 23 U.S.C. 139(l)(1). The actions relate to the Interstate 66 Outside the Beltway project in Fairfax and Prince William Counties, Virginia. Those actions grant licenses, permits, and approvals for the project.

**DATES:** By this notice, the FHWA is advising the public of final agency actions subject to 23 U.S.C. 139(l)(1). A claim seeking judicial review of the Federal agency actions on the project will be barred unless the claim is filed on or before **[INSERT DATE 150 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER]**.

Notwithstanding any other provision of law, a claim arising under Federal law seeking judicial review of a permit, license, or approval issued by a Federal agency for a highway or public transportation capital project shall be barred unless it is filed within 150 days after publication of a notice in the Federal Register announcing that the permit, license, or approval is final pursuant to the law under which the agency action is taken, unless a shorter time is specified in the Federal law pursuant to which judicial review is allowed.

**FOR FURTHER INFORMATION CONTACT:** Mr. John Simkins, Planning and

Environment Team Leader, Federal Highway Administration, 400 North 8<sup>th</sup> Street, Richmond, Virginia, 23219; telephone: (804) 775-3347; e-mail: John.Simkins@dot.gov. The FHWA Virginia Division Office's normal business hours are 7:00 a.m. to 5:00 p.m. (Eastern Time). For the Virginia Department of Transportation: Mr. John Muse, 4975 Alliance Drive, Fairfax, VA 22030; e-mail: John.Muse@vdot.virginia.gov; telephone: (703) 259-1215.

**SUPPLEMENTARY INFORMATION:** Notice is hereby given that FHWA has taken final agency actions subject to 23 U.S.C. 139(l)(1) by issuing licenses, permits, and approvals for the following project in the State of Virginia: Interstate 66 Outside the Beltway Project. The project would involve improvements to Interstate 66 between Interstate 495 and U.S. Route 15. The actions taken by FHWA, and the laws under which such actions were taken, are described in the Tier 1 Final Environmental Impact Statement and Tier 1 Record of Decision that was issued on November 20, 2013, the Tier 2 Final Environmental Assessment dated June 21, 2016, and the Tier 2 Finding of No Significant Impact that was issued on June 22, 2016. These documents and other project records are available on the project website at <http://outside.transform66.org>, and are also available by contacting FHWA or the Virginia Department of Transportation at the phone numbers and addresses provided above.

This notice applies to all Federal agency decisions as of the issuance date of this notice and all laws under which such actions were taken, including but not limited to:

1. General: National Environmental Policy Act (NEPA) [42 U.S.C. 4321-4351]; Federal-Aid Highway Act (FAHA) [23 U.S.C. 109 and 23 U.S.C. 128].

2. Air: Clean Air Act [42 U.S.C. 7401-7671(q)].
3. Land: Section 4(f) of the Department of Transportation Act of 1966 [23 U.S.C. 138 and 49 U.S.C. 303].
4. Historic and Cultural Resources: Section 106 of the National Historic Preservation Act of 1966, as amended [16 U.S.C. 470(f) et seq.].
5. Social and Economic: Farmland Protection Policy Act [7 U.S.C. 4201-4209].

(Catalog of Federal Domestic Assistance Program Number 20.205, Highway Planning and Construction. The regulations implementing Executive Order 12372 regarding intergovernmental consultation on Federal programs and activities apply to this program.)

AUTHORITY: 23 U.S.C 139(l)(1)

ISSUED ON: June 28, 2016

John Simkins

Planning and Environment Team Leader

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